

Remarks:

General:

The Applicant has amended the title, specification, claims, and abstract of Patent Application Number 09/784,773 to conform with the Office Action mailed April 2, 2002, and with the Office Action mailed August 7, 2002 and with the Office Action mailed September 20, 2002 and with the Office Action mailed September 2, 2003 and with the Office Action mailed December 5, 2003, and with the Office Action mailed April 15, 2004 , and with the Office Action mailed October 7, 2004.

The elements presented in this Amendment H are a clarification and expansion of intent and concepts presented in the original application and references (original and O.A.) and do not, in the view of the Applicant, constitute "new" technical material.

Specifically:

REMARKS

Response to Final Office Action of October 7, 2004

The Office Action (OA) of October 07, 2004, page 2, Detailed Action, Drawings, reads, "The subject matter of this application admits of illustration by a drawing ... required.... . No new matter may be introduced.... ." The Applicant respectfully submits two drawings sheets with a total of 6 figures/drawings. The support for these drawings, referenced to the original patent application (OPA) of Feb. 15, 2001, follows, and demonstrates "no new matter" has been introduced. Additional descriptive language has been included, in the new specification text sections, Drawing, Brief Descriptions, and Drawings, Detailed Descriptions sections, "no new matter" has been introduced, the descriptive language is "obvious".

-773 Required Drawings Support

Figures 1-3, supported by OPA, page 2, Description, and Operation.

Figures 4-6, supported by OPA, page 2, last 2 lines, and page 3, first line, and Page 2, Operation, lines 2-7.

Note: The Applicant reasonably considers "pulse lasers", to be the source of "laser pulses" as presented in the first IDS, U-S Pulse Lasers, "not new matter".

Claims must be shown in Drawings, the Claims justification follows:

53 An optronic/photonic device comprising: (OPA, pg. 2, Summary)

at least one symbol formed on the mirrors of

MEMS switches, and; (OPA, pg. 2. Description)

at least one laser pulse, whereby the laser pulse is reflected from said mirror and forms a laser pulse image of said symbol.

(OPA, pg. 1, Objects ..., and pg. 2, Operation, line 1)

(shown in required drawings, Figs. 1-3)

54 An optronic/photonic device comprising: (OPA, pg. 2, Summary)

at least one symbol formed on the exit mirror of at least one laser, and;

(OPA, pg. 2, last two lines)

at least one laser pulse from said laser whereby said laser pulse is the laser pulse image of said symbol. (OPA, pg. 3, first line)

(shown in required drawings, Figs. 4-6)

55 MEMS mirrors with symbols formed thereon, and; (OPA, pg. 2, Summary)

laser exit mirrors with symbols formed thereon, whereby

(OPA, pg. 2, last line)

reflected laser pulses and laser pulses, respectively, form laser pulse images of the symbols. (OPA, pg. 2, Operation, first line and pg. 3, first line) (shown in required drawing 1-6).

In general these Claims have been narrowed, the Applicant respectfully requests reconsideration and allowance of Claims 53-55.

The OA continues, page 2, Claims Rejections ... 102... Claims 33-52 are rejected under ... 102(b) as being anticipated by Stern et al., U.S.P. No. 5,877,899.

“Stern et al. 899’ teaches(Figs. 1-15) a laser system for imaging indicia 30 or symbols onto a mirrored surface comprising; an array of laser diodes 66 (Note these laser diodes can be used in conjunction with a liquid crystal array to provide a switched or pulsed output.) which used imaging means 36, 38 and 40 to provide symbols and indicia of as extremely small size which are etched onto a mirrored surface 30 and wherein the etched image is sensed or transmitted to camera 52 (Note that the mirrored surface is a polished semiconductor surfaces which would inherently includes MEMS type semiconductor mirrors or the like.), which clearly meets the Applicant’s claimed limitations.”

ADDSTERN added to H Specification, Background

[0031H] Stern et al., U.S.P. 5,877,899, “Imaging System and Method for Imaging Indicia on Wafer”, Col. 6, lines. 12-14, read “Fig. 3A ... simplest form of the inspection system... .”, discloses several (more than 3) parts.

In general overview the present invention is far simpler, i.e. fewer parts, than the Stern et al., ‘899, Imaging System..., reference.

[0032H] **Simplicity of this present invention**, to create/form laser pulse images. The present invention, in a simple form (symbols formed on the exit mirrors of lasers) has one part (the laser), a laser pulse from a laser forms a laser pulse image of the symbol(s) on that specific exit mirror, Figs. 4-6.

The present invention also includes a form with two parts, a laser, and a MEMS switch with symbols formed on the optical surfaces, mirrors, Figs. 1-3. A reflected laser pulse forms a reflected laser pulse image of the symbol(s) on that particular optical surface or mirror.

[0033H] **Stern complexity, 3 or more parts , see Fig. 3A.**

Stern et al., - 899, Col. 6, line 12, reads “FIG. 3A ... the simplest form of the inspection system... .” (Note the term “system”.) The text description of FIG. 3A, Col. 11, lines 6-59, and Fig. 3A, describes 3 or more parts. Note: Fig. 11, added more parts, (a light valve and a diffuser), making the Stern “system” more complex. The Stern “system” reference does not, repeat not and could not anticipate this present invention.

[0034H] Present invention, lasers: Stern apparently not a laser system.

Stern et al Col. 6, lines 48-50, reads "Fig. 11 ... a fifth embodiment...". And Col. 14, lines 12-14, reads "... a programmable liquid crystal light valve used in conjunction with a high density diffused back light. ..." and lines 17-19, read "Fig. 11 shows ... a light source 84 provides light to a rear surface 86 of a diffuser 88. The diffused light emanates...".

Note: This "fifth embodiment" specifies "diffused" light. The prior four embodiments appear to specify "diffused" light. Lasers are not specified.

Stern, Col. 8, lines 26-27, reads "... light emitting diodes (LED) 66...".

Col. 13, lines 23 –28, read "... by placing a diffuser 70 in front of the LED array, i.e. between the LEDs 66 ... make the light field created by each LED 66 appear substantially identical to that of all other LEDs contained in the array (see Fig 8)." Further, Col. 8, lines 26-27, reads "... light emitting diodes (LED) 66...".

Note: the coherent light property of lasers would likely be destroyed in the diffusers, 70, 88, of the Stern system. The description of the first five embodiments of the Stern system does not specify lasers, and Stern does not contain the terms "laser pulses", "reflected laser pulses", "laser pulse images", "reflected laser pulse images" or "laser pulse image switches". The Stern '899 reference does not, repeat not, and could not anticipate the present invention.

[0035H] Present invention, active; Stern '899 is a passive "imaging system"

Stern specifies the "object to be observed 32" to be a "semiconductor wafer" as in Fig. 1. A static semiconductor wafer, as specified by Stern, has no, repeat no switching capabilities comparable to the well known switching capabilities of MEMS mirror switches. Stern, as described, is not a "laser pulse image switch". Stern does not contain the terms "MEMS mirrors" or "MEMS mirror switches" and Stern does not and could not anticipate the present invention.

Stern et al., '899, may be synergistic with the present invention. Stern does not and could not anticipate the "laser pulse image switches" of the present invention. This present invention appears to be outside the envelope or box for Stern et al..

The above, are the Applicant's ongoing efforts to codify this present invention, laser pulse image switches, does not contain "new matter".

This invention describes information symbols or scenes in the form of laser pulse images. This is a unique paradigm compared to the traditional methods of information symbols or scenes in the form of binary code.

end

Comment: The Applicant wishes to convey appreciation and gratitude to the Examiner for, patience diligence and assistance. Thank You!

Conclusion:

In the view of the Applicant, the above Amendment H in Patent Application Number 09/784,773 conforms to the 2002, April 2 Office Action and to the 2002, August 7 Office Action and to the 2002, September 20 Office Action and to the 2003, September 2 Office Action, and to the 2003, December 5 Office Action, and to the 2004, April 15, Office Action and to the 2004, October 7 Office Action.

Request For Constructive Assistance:

The Applicant requests, with all due respect, the assistance and suggestions of the Examiner, pursuant to M.P.E.P. | 2173.02 and | 707.07(j), to place this Application (# 09/784,773) in allowance.

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Very Respectfully:

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Certificate of Mailing

I hereby certify that this Amendment H in Patent

Application Number 09/784,773 will

be deposited with the U.S. Postal Service by Express Mail, in an
envelope addressed to "Mail Stop A F Amendments, Commissioner

for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

Date: Nov. 12, 2004

Inventor's Signature:

Joseph D. Udy

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